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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,411	12/03/2001	Franklin Zhigang Zhang		3112

7590
Franklin ZhiGang Zhang
4717 Spencer Street
Torrance, CA 90503

10/15/2007

EXAMINER

ABELSON, RONALD B

ART UNIT	PAPER NUMBER
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2619

MAIL DATE	DELIVERY MODE
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/006,411

Applicant(s)

ZHANG, FRANKLIN ZHIGANG

Examiner

Ronald Abelson

Art Unit

2619

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/18/07.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 28-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 28-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner..
- 10) ☒ The drawing(s) filed on 03 March 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Ronald Abelson

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

Art Unit: 2619

Claim Objections

1. Claim 28 is objected to because of the following informalities: On line 7, "serve" must be changed to "server". On line 16, "joint" must be changed to "join". Appropriate correction is required.

2. Claim 31 is objected to because of the following informalities: On line 8, "PAMD" must be changed to "PMAD". Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 28-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Art Unit: 2619

The term "client operation function" as recited in independent claims 28, 30, and 36 is not defined in the specification.

The specification does not define how the server means guarantees PMAD to PMAD communication over the Internet without message loss as recited in independent claims 28, 30, and 36.

Regarding claims 30 and 36, the term "Time Distributed Message Network" needs to be defined in the claims since the term is not a term of art.

For the purpose of this examination the term "client operation function" and the guarantee of PMAD to PMAD communication over the Internet without message loss will not be given any weight.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at

Art Unit: 2619

the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claim 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Dowling US 20050170824 in view of Gentry (US 6,888,803).

Regarding claim 28, Dowling teaches one server means (fig. 1 box 125) running on Internet (fig. 1 box 122);

a plurality of wireless Access Points (APs) with Internet connection (fig. 1 box 150), providing wireless networking access;

a plurality of Personal Mobile Access Device (PMAD) (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]) with wireless networking capability for getting wireless Internet access via said AP, and communicating said server means (mobile unit 105 leaves subnetwork, system level handoff assisted by server 125 is needed, [0034]);

the Aps have a dedicated port for Internet connection (fig. 1 connection 113, [0031]).

the APs communicating with the server means via Internet (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access

Art Unit: 2619

point to cause mobile unit and local area wireless access point to initiate communication, [0050]);

said PMAD is personal mobile communication device with user and media interfaces, and wireless networking means to communicate with said Aps (fig. 1 box 105, mobile unit 105 may be a hand-held cellular phone or wireless data device, [0026]);

the PMAD access Internet wirelessly through the AP and communicate with the server means via Internet (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]);

the server means enables the PMADs to join communication over Internet connection with server means (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]);

the server means enables, controls, and guarantees the PMAD communication over Internet without message loss (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]);

the PMADs communicating via the server means and the Internet (fig. 1 box 150, 122, 125, link 113, network server sends signals to the mobile unit and the local area wireless access point, [0050]).

Art Unit: 2619

Although Dowling teaches the PMADs access the Internet wirelessly through the Aps and join the server means for communication, the reference is silent on the PMADs communicating with each other via the Internet.

Gentry teaches PMADs / mobiles, communicating with each other via the Internet (voice over IP connection between mobiles, col. 1 lines 47-50).

Therefore it would have been obvious to one of ordinary skill in the art, to modify the system of Dowling by performing mobile to mobile communication via the Internet, as shown by Gentry. This modification can be performed by adhering to VoIP standards. This modification would benefit the system by allowing the mobiles to communicate with each other.

Regarding claim 29, one of said PMAD can roam among the wireless access of said APs around Internet (Dowling: mobile unit 105 leaves subnetwork, system level handoff assisted by server 125 is needed, [0034]) and communicate with said server means and other PMADs (Gentry: voice over IP connection between mobiles, col. 1 lines 47-50).

Art Unit: 2619

Response to Arguments

7. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ronald Abelson whose telephone number is (571) 272-3165. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wing Chan can be reached on (571) 272-7439. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2619

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


Ronald Abelson
Examiner
Art Unit 2619
